

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

STEVEN DUANE CURRY,

Petitioner,

v.

Civ. No. 19-189 KG/KRS

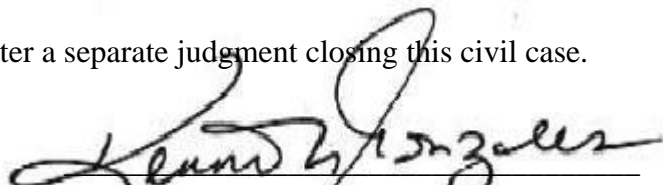
NEW MEXICO BEHAVIORAL  
HEALTH INSTITUTE-FORENSIC UNIT, et al,

Respondents.

ORDER OF DISMISSAL

This matter comes before the Court following Petitioner's failure to prosecute his 28 U.S.C. § 2241 habeas action. On December 20, 2019, a mailing to Petitioner was returned as undeliverable with the notation: "Return to Sender, Not Deliverable as Addressed." (Doc. 4). It appeared Petitioner severed contact with the Court, in violation of N.M. LR-Civ. 83.6. The Court set a deadline of March 6, 2020 to provide an updated address. (Doc. 5). The Order warned that the failure to timely comply will result in the dismissal of this action without further notice. *Id.* Petitioner did not respond to the Order, which was also returned as undeliverable. (Doc. 6). Therefore, the Court will dismiss this action without prejudice pursuant to Fed. R. Civ. P. 41(b). *See Olsen v. Mapes*, 333 F.3d 1199, 1204 n. 3 (10<sup>th</sup> Cir. 2003) ("Rule 41(b) ... has long been interpreted to permit courts to dismiss actions *sua sponte* for a plaintiff's failure to prosecute or comply with the ... court's orders.").

IT IS ORDERED that Petitioner's 28 U.S.C. § 2241 habeas petition (Doc. 1) is dismissed without prejudice; and the Court will enter a separate judgment closing this civil case.



UNITED STATES DISTRICT JUDGE